Remarks

Claims 1-48 are pending.

A Petition for a One-Month Extension of Time and duplicate copy thereof accompany this Response.

Rejections under 35 USC § 103(a)

The Examiner rejects Claims 1-7 as being unpatentable over U.S. Patent No. 5,950,169 (Borghesi et al.) in view of "Information on Hertz Corporation, 1997 - 2000" (Reference U of form PTO-892) (Hertz).

Borghesi et al. discloses a graphic user interface for use in managing an insurance claim from an initial claim to final settlement. A single user system 44 includes a monitor 58, a keyboard 60 and a computer mouse 62. Optionally, a printer 64 may be used to print out reports. The single user system 44 communicates with other databases and other computers via a modem 66, which may be internal or external, connected to a wide area network over regular telephone lines. Borghesi et al., col. 6, ll. 35-49. A graphic user interface 82 includes a perspective bar 84 having a plurality of user objects representing basic office workflow. The user objects represented on the display monitor mirror the objects used by a typical user in an everyday work environment. Report forms are accessible through a report object 94. Borghesi et al., col. 8, ll. 3-14.

Borghesi et al. (col. 13, ll. 12-23) discloses that a user may select to view 248, a parts illustration showing a parts assembly with individual parts numbered. The illustration is preferably on the same screen as the textual description of the parts. Throughout the estimate process a user may be prompted by the system that the total cost of repairing the vehicle is approaching a threshold total value for that vehicle. The threshold total valuation number is preferably derived from generic information on the model and year of car being processed. If a specific total valuation is desired then the user must request a custom total valuation report from a third party database provider such as CCC Information Services, Inc.

Borghesi et al. (col. 14, ll. 9-22) recites one instance of a word including "except...". As shown in Figure 8L of the reference, a list of workfiles that are sent to an insurance company library after completion may be viewed at 288, a list of messages that has been sent to storage may be reviewed at 290, and a communications log for all communications that have taken place between the remote computer and other computers may be viewed at 292. As to the communications log, as shown in Figure 8L of the reference, typically, several types of communication logs are kept at the user's computer and

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the user may review items in received logs at 294, view an exceptions log at 296, or review at 298 the support log.

Since the Examiner refers to <u>Hertz</u> dating from 1997-2000, it is understood that this reference includes <u>only</u> pages 1-36 and 53 of <u>Hertz</u> as previously cited on form PTO-892 in the Office Action mailed on May 7, 2003.

<u>Hertz</u> (p. 17) discloses that one can check the latest Hertz rates and instantly make, modify, or cancel reservations on-line. A credit card number is required to secure all reservations. If you're a Hertz #1 Club® or a Hertz #1 Club Gold® member you can use some or all of the information (including the credit card number) contained in your rental profile. <u>Hertz</u> also discloses (pp. 18-20) an interactive reservation process.

Claim 1 recites, *inter alia*, a method for managing rentals from a rental service provider by an insurance service provider having a plurality of claims adjusters and claims managers, the method comprising: employing a server system including a database having rental claim information for each of the rentals; employing a plurality of client systems for the claims adjusters and the claims managers; employing a global communication network to interconnect the server system with the client systems; displaying at least some of the rental claim information for one of the rentals at one of the client systems; modifying the rental claim information for the one of the rentals from the one of the client systems; and *reviewing by exception* some of the **rental claim information** from another one of the client systems.

The Examiner states that "Official notice is taken that it would have been obvious ... that it is a business choice to elect what information should be presented in a report." The Examiner further concludes that "it would have been obvious ... to generate reports presenting the information required by the business to make the report useful for running the business." These statements are traversed as applied to the refined recital of Applicants' claims.

As employed within the context of <u>Borghesi et al</u>. (col. 14, ll. 9-22), but <u>not</u> within the context of Claim 1 of the present Application, it is submitted that the term "exception" means "[a]n interruption to the normal flow of program control, caused by the program itself or by executing an illegal instruction." http://www.techdictionary.com/Action.Lasso (a true and correct copy is attached as Exhibit 1). *See also* http://www.webopedia.com/TERM/e/exception.html ("A condition, often an error, that causes the program or microprocessor to branch to a different routine. The terms interrupt and exception are very close in meaning. Both can be used to refer to either

hardware or software. The only real difference is that an exception usually indicates an error condition.") (a true and correct copy is attached as Exhibit 2).

As employed within the context of the reference, but <u>not</u> by the Application, the term "log" means "[a] record of a computer's or application's activity, used for system information, backup, and recovery. http://www.techdictionary.com/Action.Lasso (a true and correct copy is attached as Exhibit 3).

Hence, it is submitted that it is clear that an "exceptions log" (as employed at <u>only</u> step 296 of <u>Borghesi et al.</u>) as employed in combination with the "communications log" (as employed at step 292 of <u>Borghesi et al.</u>) is a record of a computer's or application's communications error activity, related to interruptions to or errors in the normal flow of communications control, caused by the application program or communication channel. These exceptions (*i.e.*, <u>errors</u>) occur in <u>communications</u> that have taken place between a remote computer and other computers. <u>Borghesi et al.</u>, which deals with a <u>communications</u> exceptions error log, is the <u>only</u> disclosure of <u>Borghesi et al.</u> dealing with any "exception". It is clear that this reference does not teach or suggest the refined recital of *reviewing by exception rental claim information* from another client system within the context of Claim 1.

The Examiner states that <u>Borghesi et al.</u> does not disclose the content of any report.

Although the Examiner takes Official notice that it would have been obvious as a business choice to elect what information should be presented in a report, the Examiner is respectfully requested to cite a reference within the context of Applicants' claims regarding reviewing by exception rental claim information from a client system. Clearly, the Examiner has presented no evidence of record regarding this refined recital that would render Applicants' claims obvious.

It would not be appropriate for the Examiner to take Official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known. For example, assertions of technical facts in the areas of esoteric technology or specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art. *In re Ahlert and Kruger*, 165 USPQ 418, 420-21 (CCPA 1970). *See also In re Grose*, 201 USPQ 57, 63 (CCPA 1979).

As to the Examiner's conclusion that it would have been obvious to generate reports presenting information required by a business to make such reports useful for running such business, there is no evidence of record regarding the refined recital of reviewing by

exception rental claim information from a client system. Clearly, <u>Borghesi et al.</u>, which does not disclose the content of any report, and which merely discloses a <u>communications</u> exceptions error log, does not teach or suggest the refined recital of reviewing by exception rental claim information from a client system.

The Examiner previously stated that <u>Hertz</u> does not disclose allowing business partners to access Hertz system to get information with transactions they are involved in, and that <u>Hertz</u> does not disclose a database having rental claim information, displaying claim information, or managing claim processing and reviewing claim information.

<u>Hertz</u>, which discloses an interactive reservation process for car rentals, and which does not teach or suggest managing claim processing and reviewing claim information, adds nothing to <u>Borghesi et al.</u> regarding the refined recital of *reviewing by exception rental claim information* from any client system.

As examples of this recital, as set forth in the present specification at page 7, lines 23-30, another user 86, such as a claims manager, may review by exception some of the rental claim information 110 from another client system, such as 92. For example, the claims manager selects one of the vehicle rental variables 110, enters a value (V) 114 corresponding to the selected one of the vehicle rental variables 100, and responsive to a request (R) 116, the server routine 96 generates a report (RPT) 118 for at least one of the vehicle rentals 81 for which the selected one of the vehicle rental variables 100 differs from (*e.g.*, is greater than; is less than) the entered value 114.

Also, as another example, as set forth at page 22, lines 4-10, the reporting capability of the system 120 allows management at any level to review files by exception (*e.g.*, over x number of extensions) to eliminate problem vehicle rentals before they occur. Without this tool, insurance companies are only made aware of a "problem" claim file as the invoice is submitted, which is too late to take any suitable corrective action. With this system 120, management can intervene, as necessary, to reduce vehicle rental severity before the vehicle rental is concluded.

Accordingly, for the above reasons, it is submitted that Claim 1 patentably distinguishes over the references.

Claims 2-7 depend directly or indirectly from Claim 1 and patentably distinguish over the references for the same reasons.

Furthermore, Claim 2 recites entering rental reservations; and displaying at one of the client systems a scoreboard including a count of unconfirmed rental reservations. The Examiner states that Applicants disclose "scoreboard including count of pending

Unconfirmed) reservations" as prior art. This statement is respectfully traversed as applied to the refined recital of Claim 2.

Actually, as set forth on page 9, lines 5-8 of the Application, "[u]nconfirmed reservations are ones, which have been initiated by the user, but which the responsible branch office has yet to accept. Pending reservations are rentals that have been accepted by the vehicle rental service provider, but the customer has yet to get into the rental vehicle." Figure 1 (prior art) of the Application clearly shows "PENDING RESERVATIONS". Hence, Applicants disclose a scoreboard including a count of pending reservations as prior art. However, none of the prior art of record discloses displaying a count of *unconfirmed* rental reservations. As set forth in the present application, unconfirmed reservations are ones, which have been initiated by the user, but which the responsible branch office has yet to accept. It is submitted that none of the references of record, whether taken alone or in combination, teach or suggest any unconfirmed rental reservation, much less the refined recital of displaying at one client system a scoreboard including a count of unconfirmed rental reservations. Accordingly, it is submitted that Claim 2 further patentably distinguishes over the references.

Furthermore, Claim 3 recites displaying at one of the client systems a list of open rentals; including rate information with the open rentals; and changing a rate for one of the open rentals.

The present Application discloses (page 9, lines 8-9) that "[o]pen rentals are rentals where the renter is actually in the vehicle." Hertz, which merely discloses rate information for one reservation for a future rental, does not teach or suggest any open rental, much less any list of open rentals, including rate information with open rentals, and changing a rate for one of such open rentals. The acknowledged prior art (Figures 1 and 5) displays a count and a list of working rentals, but does not teach or suggest including rate information with open rentals, and changing a rate for one of such open rentals. The Examiner admits that Borghesi et al. does not display any rate information with any rental reservation. Hence, it is clear that Borghesi et al. adds nothing to Hertz in this regard.

It is submitted that none of the references of record, whether taken alone or in combination, teach or suggest changing a rate for one of the recited open rentals within the context of Claims 1 and 3. Therefore, it is submitted that Claim 3 further patentably distinguishes over the references.

Claims 4 and 5 are not separately asserted to be patentable except in combination with Claims 1 and 3 from which they depend.

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Claims 6 and 7 are not separately asserted to be patentable except in combination with Claim 2 from which they directly or indirectly depend.

The Examiner rejects Claims 8-32 as being unpatentable over Borghesi et al. in view of Hertz in further view of U.S. Patent Application Publication No. 2002/0035488 (Aquila et al.) and "Quicken 99 For Windows For Dummies" (Reference V of form PTO-892) (Nelson).

Aquila et al. discloses (Figure 28) canned or standard reports, discloses (Figure 29) reports that are indexed by region and by state within each region, reports that show specific details per day, per week, per month, per quarter, per year, by service office, by adjuster, by region and by insurance carrier, and discloses analyzing and comparing trends in the processing of claims by providing the average estimate for a certain type of repair over a current quarter, the month prior to the current quarter, the quarter prior to the current quarter, and the year prior to the current quarter. However, this reference does not teach or suggest any unconfirmed reservation, much less any report regarding any unconfirmed reservation.

Aquila et al. discloses a system and method of administering, tracking and managing of claims processing. An application server 50 (Figure 1) sends a request to one of external partner systems 62 via a secure communications medium 61, such as, privately leased lines or the like. These external partner systems 62 include an insurance carrier system 65. Figure 4 of Aquila et al. shows a flow diagram of a process of administering, tracking and managing insurance claim processing. A first notice of loss sub-system (FNOL) 210 captures initial claim data directly from a consumer using client software 205. In another embodiment, the FNOL 210 captures initial claim data through a commercial participant. The FNOL 210 presents the user, the consumer of the commercial participant, with tailored questions, where the presentation format varies depending on the type of user. The claim data captured can be transmitted to and stored in an eclaim database 280 (Figure 3), or the insurance carrier system 65. The FNOL 210 can continue to capture claim information, store the claim information received, but will not be able to complete the transaction nor assign a claim number until the FNOL 210 is able to connect to the insurance carrier system 65 to confirm that the policy information matches a valid insurance policy.

Aquila et al. discloses that a triage sub-system 220 (Figure 4) receives claim data and determines the severity and priority of the claim according to business rules established by an insurance carrier. Next, the triage sub-system 220 determines the type or type(s) of assignees to assign a claim to according to business rules established by an insurance carrier. An assignment sub-system 230 (Figure 4) receives the claim from the

triage sub-system 220, identifies the assignee most qualified for the assignment according to insurance carrier business rules, makes the assignment, records that the assignment has been made, and notifies the assignee. In another embodiment, once the assignments have been identified and the assignees have been notified, the insurance carrier system 65 is updated with claim information and details of the assignment to reflect the assignment.

Aquila et al. discloses that a Connection 300 periodically posts repair status and expected date of completion information or other claim information (e.g., administrative information, or status/capacity to fill additional assignments) to a website or the eclaim database 280, and then can notify a vehicle owner that the vehicle owner can retrieve repair status or other data relating to their vehicle from the website or the eclaim database 280. The vehicle owner will no longer need to directly contact the repair facility to determine the status of the repair.

Figure 28 of Aquila et al. shows a screenshot of an example of canned or standard reports that a reporting sub-system can generate and a user can select. The reporting sub-system produces canned reports, reports whose criteria and data elements are pre-selected and static. A user can select from canned reports, but is unable to designate how the data of the report is presented. In one embodiment, the user can select the time frame (e.g., for the month of March, for the first quarter, for the year of 2001) of a canned report. Examples of canned or set operational reports generated from transaction logs data include the number of assignments made by adjuster per month, and the number of claims received by FNOL 210 per month. Examples of canned reports generated from transactional claim data include cycle time (calculated from the start and completion of a process), number of estimates, damage by vehicle type, average appraisal fee, and OEM part usage.

Figure 29 of Aquila et al. shows a screenshot of a report generated by a reporting sub-system that is indexed by region and by state within each region. In one embodiment, the reporting sub-system 270 allows a user to drill down and view the specific details of customized reports (e.g., the number of assignments can be presented in a per day, per adjuster, per week, per month, per quarter and per year format, or by adjuster, by service office, by region, and by insurance carrier). In one embodiment, customized reports are generated by third party systems. Reports can be generated to analyze and compare trends in the processing of claims. For example, the average estimate for a certain type of repair over a current quarter, the month prior to the current quarter, the quarter prior to the current quarter, and the year prior to the current quarter. These trend-analyzing reports can provide an insurance carrier with data to determine if subsequent estimates for similar types of repair are

reasonable or even potentially fraudulent. Reports can be generated real time at the point of request or at set times with the results being stored in the eclaim database 280, the directory database 290, or the insurance carrier system 65.

It is noted that Aquila et al. purports to claim priority to a provisional application filed on April 3, 2000. Applicants traverse the citation of Aquila et al. to the extent that its disclosure in the application filed on April 3, 2001, which is after Applicants' filing date, was not included in that provisional application. Furthermore, Applicants reserve the right to file an affidavit under Rule 131 as to Aquila et al..

Aquila et al., which discloses (Figure 28) canned or standard reports, which discloses (Figure 29) reports that are indexed by region and by state within each region, reports that show specific details per day, per week, per month, per quarter, per year, by service office, by adjuster, by region and by insurance carrier, and which discloses analyzing and comparing trends in the processing of claims by providing the average estimate for a certain type of repair over a current quarter, the month prior to the current quarter, the quarter prior to the current quarter, and the year prior to the current quarter, adds nothing to Borghesi et al. and Hertz regarding the refined recital of Claim 1 of *reviewing by exception rental claim information* from any client system.

Nelson discloses (p. 114) that "Quicken produces a bunch of different reports" including Banking, Planning, Investment, Taxes and Business reports for a user's finances. A Customize button (p. 122) is clicked to get to the "nuts and bolts" of the selected report. However, Nelson (p. 122) does not "describe the Customization process." An Options button (p. 124) causes Quicken to display a dialog box "with a bunch of boxes and buttons that let you change the way the window looks or works." Again, Nelson (p. 124) does not describe "how the Reports Options dialog box works." A dialog box (p. 124) including "Year to date" purports to describe how the user "want[s] the chart to look."

Nelson adds nothing to Borghesi et al., Hertz and Aquila et al. regarding the refined recital of Claim 1 of *reviewing by exception rental claim information* from any client system.

Claim 8 depends from Claim 1 and patentably distinguishes over the references for the same reasons. Furthermore, Claim 8 recites providing a plurality of unconfirmed reservations; and generating a plurality of reports regarding the unconfirmed reservations.

The Examiner states that Borghesi et al. discloses that a user "may choose to store, or view stored information 168 or to print out reports on specific workfiles 170

(pending, unconfirmed)." This statement is respectfully traversed as applied to the refined recital of Claims 8-13.

There is no teaching or suggestion in Borghesi et al. regarding any unconfirmed reservation, much less generating a plurality of reports regarding unconfirmed reservations. Hertz, which discloses an interactive reservation process for car rentals, and which does not teach or suggest managing claim processing and reviewing claim information, adds nothing to Borghesi et al. regarding this refined recital.

Aquila et al., which, as was discussed above, does not teach or suggest any unconfirmed reservation, much less any report regarding any unconfirmed reservation, adds nothing to Borghesi et al. and Hertz regarding the refined recital of Claim 8.

Nelson, which does not teach or suggest any unconfirmed reservation, much less any report regarding any unconfirmed reservation, adds nothing to Borghesi et al., Hertz and Aquila et al. in this regard. Hence, it is submitted that Claim 8 further patentably distinguishes over the references.

Claims 9-32 depend directly or indirectly from Claim 1 and patentably distinguish over the references for the same reasons.

Furthermore, Claim 9 recites generating one of the reports for one of the insurance service provider, a claims center of the insurance service provider, one of the claims adjusters, all of the claims adjusters, a vehicle repair shop, and the rental service provider. Since the references neither teach or suggest the refined recital of Claim 8, they clearly neither teach or suggest this additional limitation which further distinguishes over the references.

Claims 10-13 are not separately asserted to be patentable except in combination with Claim 1 from which they directly or indirectly depend.

Furthermore, Claim 14 recites maintaining a database of rental variables associated with each of the open rentals; selecting one of the rental variables; entering a value corresponding to the selected one of the rental variables; and generating one of the reports including at least some of the open rentals for which the selected one of the rental variables exceeds the entered value.

The Examiner admits that Borghesi et al. does not disclose the contents of reports or who the report is for.

As to Claims 14-19 and 31, the Examiner refers to the event log of Borghesi et al.. The event log records events/actions taken with respect to each insurance datafile. The event log, which is attached to the datafile, preferably automatically puts a time and date

stamp on certain predetermined tasks or activities. There also may be manually entered event information added to the log. As shown in Figure 13 of the reference, the event log may be selected for viewing through the user interface. By clicking onto the event log tab in an opened workfile, an event screen 350 is shown listing the date, time, type of action and author of each event. A specific event may be selected to view, or to enter, additional textual information concerning the selected event. This event log does not teach or suggest the refined recital of generating a report including at least some open rentals for which a *selected rental variable exceeds an entered value*.

The Examiner previously stated that Hertz does not disclose allowing business partners to access Hertz system to get information with transactions they are involved in, and that Hertz does not disclose a database having rental claim information, displaying claim information, or managing claim processing and reviewing claim information. Hertz, which discloses an interactive reservation process for car rentals, and which does not teach or suggest managing claim processing and reviewing claim information, adds nothing to Borghesi et al. regarding generating a report including at least some of open rentals for which a selected one of rental variables exceeds an entered value.

Aquila et al., which summarizes and formats data stored eclaim file or the insurance carrier system based on a number of criteria to generate various reports, which discloses (Figure 28) canned or standard reports, which discloses (Figure 29) reports that are indexed by region and by state within each region, reports that show specific details per day, per week, per month, per quarter, per year, by service office, by adjuster, by region and by insurance carrier, and which discloses analyzing and comparing trends in the processing of claims by providing the average estimate for a certain type of repair over a current quarter, the month prior to the current quarter, the quarter prior to the current quarter, and the year prior to the current quarter, does not teach or suggest the refined recital of generating a report including at least some of open rentals for which a selected one of rental variables exceeds an entered value. Accordingly, Aquila et al. adds nothing to Borghesi et al. and Hertz regarding the refined recital of Claim 14.

Nelson, which does not describe its Customization process, which does not describe how a Reports Options dialog box works, and which discloses generating a report within a range of dates, adds nothing to the other references regarding this refined recital of Claim 14, which further patentably distinguishes over the references.

The Examiner admits that <u>Borghesi et al.</u>, <u>Aquila et al.</u> and <u>Nelson</u> do not disclose any query structure for extracting data to generate a report. <u>Hertz</u> adds nothing to these references in this regard.

Although the Examiner takes Official notice that it would have been obvious that businesses generate reports using data extracted with a query designed to meet a business preference for the contents of the reports, the Examiner is respectfully requested to cite a reference within the context of Applicants' claims regarding the refined recital of generating a report including at least some of open rentals for which a selected one of rental variables exceeds an entered value. Again, reports "within a date range" do not teach or suggest and add nothing to the references of record regarding this refined recital. Clearly, the Examiner has presented no evidence of record regarding this refined recital that would render Applicants' claims obvious.

As to the Examiner's conclusion that it would have been obvious to generate reports with information as required by the intended user to make the report provide the expected information as requested by the user, to help management understand business health and make business decisions, there is no evidence of record that would render obvious the refined recital of generating a report including at least some of open rentals for which a selected one of rental variables exceeds an entered value.

It is submitted that the Examiner improperly bases the rejection of Claims 14-19 and 31 on hindsight. In this regard, the assertion that reports "provide the expected information as required by the user, help the management understand business health and make business decisions etc." is too general because it could cover *any* report and does not address why the specific recital of any of Claims 14-19 and 31 would have been obvious.

Furthermore, Claim 15 recites employing an authorized rental rate and an actual rental rate as some of the rental variables; employing a cost value as the entered value; and generating the one of the reports including at least some of the open rentals for which the actual rental rate exceeds the authorized rental rate. Since the references neither teach or suggest the refined recital of Claim 14, they clearly neither teach or suggest these additional limitations which further patentably distinguish over the references.

Additionally, it is submitted that there is nothing in any of the cited references that would teach or suggest a report including at least some of open rentals for which a selected rental variable exceeds an entered value, much less any report including, for example, the refined recital of Claim 15, in which a report includes at least some of open rentals for which an *actual rental rate exceeds* an *authorized rental rate*.

Furthermore, Claim 16 recites employing an authorized rental period as one of the rental variables; employing a time value as the entered value; and generating the one of the reports including at least some of the open rentals for which the authorized rental period is less than the time value. Since the references neither teach or suggest the refined recital of Claim 14, they clearly neither teach or suggest these additional limitations which further patentably distinguish over the references.

Furthermore, Claim 17 recites employing a count of rental extensions as one of the rental variables; employing a count value as the entered value; and generating the one of the reports including at least some of the open rentals for which the count of rental extensions exceeds the count value. Since the references neither teach or suggest the refined recital of Claim 14, they clearly neither teach or suggest these additional limitations which further patentably distinguish over the references.

Furthermore, Claim 18 recites employing a total rental cost as one of the rental variables; employing a cost value as the entered value; and generating the one of the reports including at least some of the open rentals for which the total rental cost exceeds the cost value. Since the references neither teach or suggest the refined recital of Claim 14, they clearly neither teach or suggest these additional limitations which further patentably distinguish over the references.

Furthermore, Claim 19 recites employing an extension time period as one of the rental variables; employing a time value as the entered value; and generating the one of the reports including at least some of the open rentals for which the extension time period exceeds the time value. Since the references neither teach or suggest the refined recital of Claim 14, they clearly neither teach or suggest these additional limitations which further patentably distinguish over the references.

Claim 20 is not separately asserted to be patentable except in combination with Claim 1 from which it depends.

Claims 21-27 are not separately asserted to be patentable except in combination with Claims 1 and 20 from which they directly or indirectly depend.

Claims 28-30 are not separately asserted to be patentable except in combination with Claim 1 from which they depend.

Furthermore, Claim 31 recites providing a plurality of unconfirmed reservations; and providing a listing of all of the unconfirmed reservations. As was discussed above in connection with Claim 8, the references do not teach or suggest any unconfirmed reservation. Since the references neither teach or suggest that recital, they clearly neither

teach or suggest providing a listing of all unconfirmed reservations as recited by Claim 31. Hence, Claim 31 further distinguishes over the references.

Claim 32 is not separately asserted to be patentable except in combination with Claims 1 and 31 from which it depends.

The Examiner rejects Claims 33-48 over Hertz in view of Borghesi et al. in further view of Aquila et al. and Nelson.

Claim 33 is an independent claim which recites, *inter alia*, a method for managing vehicle rentals from a vehicle rental service provider for a plurality of users comprising: employing a server system including a database having vehicle rental variables for the vehicle rentals; employing a plurality of client systems for the users; employing a global communication network to interconnect the server system with the client systems; selecting one of the vehicle rental variables; entering a value corresponding to the selected one of the vehicle rental variables; and generating a report for at least one of the vehicle rentals for which the selected one of the vehicle rental variables differs from the entered value.

Claim 33 recites generating a report for at least one of the recited vehicle rentals for which the *selected one of* the *vehicle rental variables differs from* the *entered value*.

The Examiner states that Borghesi et al. does not disclose the content of any report or who the report is for.

The Examiner previously stated that Hertz does not disclose allowing business partners to access Hertz system to get information with transactions they are involved in, and that Hertz does not disclose a database having rental claim information, displaying claim information, or managing claim processing and reviewing claim information.

Hertz, which discloses an interactive reservation process for car rentals, and which does not teach or suggest managing claim processing and reviewing claim information, adds nothing to Borghesi et al. regarding the refined recital of generating a report for a vehicle rental for which a selected one of vehicle rental variables differs from an entered value.

Aquila et al., which discloses (Figure 28) canned or standard reports, which discloses (Figure 29) reports that are indexed by region and by state within each region, reports that show specific details per day, per week, per month, per quarter, per year, by service office, by adjuster, by region and by insurance carrier, and which discloses analyzing and comparing trends in the processing of claims by providing the average estimate for a

certain type of repair over a current quarter, the month prior to the current quarter, the quarter prior to the current quarter, and the year prior to the current quarter, adds nothing to <u>Borghesi et al.</u> and <u>Hertz</u> regarding the refined recital of Claim 33 of generating a report for a vehicle rental for which a *selected one of vehicle rental variables differs from* an *entered value*.

      <u>Nelson</u> discloses (p. 114) that "Quicken produces a bunch of different reports" including Banking, Planning, Investment, Taxes and Business reports for a user's finances. A Customize button (p. 122) is clicked to get to the "nuts and bolts" of the selected report. However, <u>Nelson</u> (p. 122) does <u>not</u> "describe the Customization process." An Options button (p. 124) causes Quicken to display a dialog box "with a bunch of boxes and buttons that let you change the way the window looks or works." Again, <u>Nelson</u> (p. 124) does <u>not</u> describe "how the Reports Options dialog box works." A dialog box (p. 124) including "Year to date" purports to describe how the user "want[s] the chart to look."

      <u>Nelson,</u> which discloses generating a report within a range of dates, adds nothing to <u>Borghesi et al.,</u> <u>Hertz</u> and <u>Aquila et al.</u> regarding the refined recital of Claim 33 of generating a report for a vehicle rental for which a selected one of vehicle rental variables differs from an entered value.

      The Examiner admits that <u>Borghesi et al.,</u> <u>Aquila et al.</u> and <u>Nelson</u> do <u>not</u> disclose any query structure for extracting data to generate a report. <u>Hertz</u> adds nothing to these references in this regard.

      Although the Examiner takes Official notice that it would have been obvious that businesses generate reports using data extracted with a query designed to meet a business preference for the contents of the reports, the Examiner is respectfully requested to cite a reference within the context of Applicants' claims regarding the refined recital of generating a report for a vehicle rental for which a selected one of vehicle rental variables differs from an entered value. Again, reports "within a date range" do not teach or suggest and add nothing to the references of record regarding this refined recital. Clearly, the Examiner has presented no evidence of record regarding this refined recital that would render Applicants' claims obvious.

      As to the Examiner's conclusion that it would have been obvious to generate reports with information as required by the intended user, to make the report provide the expected information as requested by the user, to help management understand business health and make business decisions, there is no evidence of record to render obvious the refined recital of generating a report for a vehicle rental for which a selected one of vehicle rental variables differs from an entered value.

Accordingly, for the above reasons, it is submitted that Claim 33 patentably distinguishes over the references.

Claims 34-41 depend directly or indirectly from Claim 33 and patentably distinguish over the references for the same reasons.

Claims 34-36 are not separately asserted to be patentable except in combination with Claim 33 from which they directly or indirectly depend.

Furthermore, Claim 37 recites employing an authorized rental rate and an actual rental rate as some of the vehicle rental variables; employing a cost value as the entered value; and generating the one of the reports including at least some of the open rentals for which the actual rental rate exceeds the authorized rental rate. Claim 37 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 15.

Furthermore, Claim 38 recites employing an authorized rental period as one of the vehicle rental variables; employing a time value as the entered value; and generating the one of the reports including at least some of the open rentals for which the authorized rental period is less than the time value. Claim 38 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 16.

Furthermore, Claim 39 recites employing a count of rental extensions as one of the vehicle rental variables; employing a count value as the entered value; and generating the one of the reports including at least some of the open rentals for which the count of rental extensions exceeds the count value. Claim 39 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 17.

Furthermore, Claim 40 recites employing a total rental cost as one of the vehicle rental variables; employing a cost value as the entered value; and generating the one of the reports including at least some of the open rentals for which the total rental cost exceeds the cost value. Claim 40 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 18.

Furthermore, Claim 41 recites employing an extension time period as one of the vehicle rental variables; employing a time value as the entered value; and generating the one of the reports including at least some of the open rentals for which the extension time period exceeds the time value. Claim 41 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 19.

Claim 42 is an independent claim which recites, *inter alia*, a system for managing vehicle rentals from a vehicle rental service provider for a plurality of users

comprising: a server system including a routine and a database having vehicle rental variables associated with each of the vehicle rentals; a plurality of client systems for the users, each of the client systems including a data entry component selecting one of the vehicle rental variables, entering a value corresponding to the selected one of the vehicle rental variables, and entering a request for a report based upon the value and the selected one of the vehicle rental variables; and a global communication network interconnecting the server system with the client systems, the global communication network sending the request from one of the client systems to the server system, the routine of the server system generating the report for at least one of the vehicle rentals for which the selected one of the vehicle rental variables differs from the entered value, the global communication network sending the report to the one of the client systems.

Claim 42 recites that the routine of the server system generates the report for at least one of the vehicle rentals for which the *selected one of* the *vehicle rental variables differs from* the *entered value*.

The Examiner states that Borghesi et al. does not disclose the content of any report or who the report is for.

The Examiner previously stated that Hertz does not disclose allowing business partners to access Hertz system to get information with transactions they are involved in, and that Hertz does not disclose a database having rental claim information, displaying claim information, or managing claim processing and reviewing claim information.

Hertz, which discloses an interactive reservation process for car rentals, and which does not teach or suggest managing claim processing and reviewing claim information, adds nothing to Borghesi et al. regarding the refined recital of a server system routine that generates a report for a vehicle rental for which a selected vehicle rental variable differs from an entered value.

Aquila et al., which discloses (Figure 28) canned or standard reports, which discloses (Figure 29) reports that are indexed by region and by state within each region, reports that show specific details per day, per week, per month, per quarter, per year, by service office, by adjuster, by region and by insurance carrier, and which discloses analyzing and comparing trends in the processing of claims by providing the average estimate for a certain type of repair over a current quarter, the month prior to the current quarter, the quarter prior to the current quarter, and the year prior to the current quarter, adds nothing to Borghesi et al. and Hertz regarding the refined recital of Claim 42 of a server system routine that

generates the report for at least one of the vehicle rentals for which the *selected one of* the *vehicle rental variables differs from* the *entered value*.

Nelson discloses (p. 114) that "Quicken produces a bunch of different reports" including Banking, Planning, Investment, Taxes and Business reports for a user's finances. A Customize button (p. 122) is clicked to get to the "nuts and bolts" of the selected report. However, Nelson (p. 122) does not "describe the Customization process." An Options button (p. 124) causes Quicken to display a dialog box "with a bunch of boxes and buttons that let you change the way the window looks or works." Again, Nelson (p. 124) does not describe "how the Reports Options dialog box works." A dialog box (p. 124) including "Year to date" purports to describe how the users "want[s] the chart to look."

Nelson, which discloses generating a report within a range of dates, adds nothing to Borghesi et al., Hertz and Aquila et al. regarding the refined recital of Claim 42 of a server system routine that generates a report for a vehicle rental for which a selected vehicle rental variable differs from an entered value.

The Examiner admits that Borghesi et al., Aquila et al. and Nelson do not disclose any query structure for extracting data to generate a report. Hertz adds nothing to these references in this regard.

Although the Examiner takes Official notice that it would have been obvious that businesses generate reports using data extracted with a query designed to meet a business preference for the contents of the reports, the Examiner is respectfully requested to cite a reference within the context of Applicants' claims regarding the refined recital of a server system routine that generates a report for a vehicle rental for which a selected vehicle rental variable differs from an entered value. Again, reports "within a date range" do not teach or suggest and add nothing to the references of record regarding this refined recital. Clearly, the Examiner has presented no evidence of record regarding this refined recital that would render Applicants' claims obvious.

As to the Examiner's conclusion that it would have been obvious to generate reports with information as required by the intended user to make the report provide the expected information as required by the user to make the report provide the expected information as required by the user, to help management understand business health and make business decisions, there is no evidence of record to render obvious the refined recital of a server system routine that generates a report for a vehicle rental for which a selected vehicle rental variable differs from an entered value.

Hence, for the above reasons, it is submitted that Claim 42 patentably distinguishes over the references.

Claims 43-48 depend from Claim 42 and patentably distinguish over the references for the same reasons.

Furthermore Claim 44 recites that the vehicle rental variables include an authorized rental rate and an actual rental rate; that the entered value is a cost value; and that the routine generates the report including at least some of the open rentals for which the actual rental rate exceeds the authorized rental rate. Claim 44 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 15.

Furthermore Claim 45 recites that the vehicle rental variables include an authorized rental period; that the entered value is a time value; and that the routine generates the report including at least some of the open rentals for which the authorized rental period is less than the time value. Claim 45 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 16.

Furthermore Claim 46 recites that the vehicle rental variables include a count of rental extensions; that the entered value is a count value; and that the routine generates the report including at least some of the open rentals for which the count of rental extensions exceeds the count value. Claim 46 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 17.

Furthermore Claim 47 recites that the vehicle rental variables include a total rental cost; that the entered value is a cost value; and that the routine generates the report including at least some of the open rentals for which the total rental cost exceeds the cost value. Claim 47 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 18.
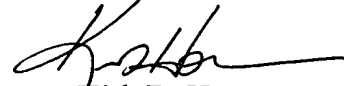
Furthermore Claim 48 recites that the vehicle rental variables include an extension time period; that the entered value is a time value; and that the routine generates the report including at least some of the open rentals for which the extension time period exceeds the time value. Claim 48 further patentably distinguishes over the references for similar reasons as was discussed above in connection with Claim 19.

Summary and Conclusion

The prior art made of record and not relied upon but considered pertinent to Applicants' disclosure has been reviewed. In summary, it is submitted that the claims are allowable over the references of record.

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Reconsideration and early allowance are respectfully requested.

Respectfully submitted,

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